

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

J.G.,)	
)	
Plaintiff,)	
)	Civil Action File
v.)	No. 1:20-cv-05233-SEG
)	
NORTHBROOK INDUSTRIES, INC.,)	
d/b/a UNITED INN AND SUITES,)	
)	
Defendant.)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

COMES NOW Defendant Northbrook Industries, Inc., d/b/a United Inn and Suites (“Northbrook”), and, pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, hereby moves for summary judgment as to all claims asserted by Plaintiff J.G. (“Plaintiff”) in this matter.

In this hotel sex-trafficking case, Northbrook is entitled to summary judgment on Plaintiff’s claim brought under the “beneficiary” provision of the federal Trafficking Victims Protection Reauthorization Act (“TVPRA”), 18 U.S.C. § 1595(a). Plaintiff cannot prove that Northbrook took part in a common undertaking of sex trafficking as required to prevail on such a claim in this circuit. Plaintiff also has failed to demonstrate that Northbrook knew or should have known that the

purported sex trafficking venture violated the TVPRA as to her, as required for liability under the statute.

Northbrook is also entitled to summary judgment on Plaintiff's claim for premises liability. First, plaintiff is not an "invitee" as to Northbrook and thus is not owed the duty of ordinary care that forms the basis of her theory of liability. Second, the criminal acts that caused harm to Plaintiff were not foreseeable to Northbrook, as there had been no sufficiently similar crimes reported on the property. And third, even if Northbrook knew or should have known of a risk of harm to Plaintiff, Plaintiff had at least equal knowledge of that same risk, such that Northbrook cannot be held liable.

In support of this motion, Northbrook relies on its Memorandum of Law in Support, filed contemporaneously with this motion, and the entire record in this case.

Respectfully submitted,

/s/ Dana M. Richens

Dana M. Richens

Georgia Bar No. 604429

SMITH, GAMBRELL & RUSSELL, LLP

1105 W. Peachtree NE, Suite 1000

Atlanta, Georgia 30309

Telephone: (404) 815-3659

Facsimile: (404) 685-6959

drichens@sgrlaw.com

Attorney for Defendant

Northbrook Industries, Inc.

d/b/a United Inn and Suites

CERTIFICATE OF SERVICE

I hereby certify that I have on this date filed the within and foregoing **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT** via the Court's CM/ECF electronic filing system, which will automatically provide notice of filing constituting service to all counsel of record.

This 21st day of December, 2023.

/s/ Dana M. Richens